

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 218 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 motor vehicles and to make an appropriation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 9-19-10-4 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. The bureau, in
- 8 cooperation with the Indiana department of transportation, division of
- 9 traffic safety, shall develop and administer educational programs for the
- 10 purpose of informing the general public of the benefits that will inure
- 11 to passengers using safety belts **and passenger restraint systems for**
- 12 **children.**
- 13 SECTION 2. IC 9-19-10-4.5 IS ADDED TO THE INDIANA
- 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. (a) As used in this section,**
- 16 **"fund" refers to the safety belt and passenger restraint systems for**
- 17 **children education fund established by subsection (b).**
- 18 **(b) The safety belt and passenger restraint systems for children**
- 19 **education fund is established to assist in providing funding for**
- 20 **educational programs described in section 4 of this chapter.**
- 21 **(c) The fund shall be administered by the state police**
- 22 **department.**
- 23 **(d) The expenses of administering the fund shall be paid from**
- 24 **money in the fund.**
- 25 **(e) The treasurer of state shall invest the money in the fund not**

1 currently needed to meet the obligations of the fund in the same
2 manner as other public money may be invested.

3 (f) Money in the fund at the end of a state fiscal year does not
4 revert to the state general fund.

5 (g) The fund consists of the following:

6 (1) Funds described in section 7(f) of this chapter.

7 (2) Appropriations made by the general assembly.

8 (3) Gifts and donations intended for deposit in the fund.

9 (4) Federal grants or money available for deposit into the
10 fund.

11 (5) Money from any other source.

12 (h) Money in the fund is continually appropriated to the state
13 police department to provide education program as established in
14 this section."

15 Page 1, line 8, delete "person;" and insert "person who is not a
16 minor;".

17 Page 1, line 14, after "proving" delete ":" and insert "by clear and
18 convincing evidence:".

19 Page 2, after line 7, begin a new paragraph and insert:

20 "(e) If a plaintiff's damages are reduced due to the failure to
21 comply with section 2 of this chapter, the total amount of money by
22 which the damages were reduced shall be paid by the defendants
23 to the clerk of the court where the action is pending.

24 (f) Upon receiving the payment described in subsection (e), the
25 clerk of the court shall pay the amount received to the treasurer of
26 state, who shall deposit the funds in the safety belt and passenger
27 restraint systems for children education fund established by section
28 4.5 of this chapter."

29 Renumber all SECTIONS consecutively.

(Reference is to ESB 218 as printed March 18, 2005.)

Representative Ulmer